

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 13-1089

KIMBERLEE WILLIAMS, individually, as personal representative of the Estate of Charles L. Williams, deceased on behalf of said estate, and as representative of others similarly situated; NANCY PEASE, individually, as personal representative of the Estate of William Clark, deceased on behalf of said estate, and as representative of others similarly situated; MARILYN HOLLEY, as personal representative of the Estate of Kathryn Darnell, deceased on behalf of said estate, and as representative of others similarly situated; and; DONNA WARE, individually, as personal representative of the Estate of Jennifer Graham, deceased on behalf of said estate, and as representative of others similarly situated; DONNETTE WENGERD, individually, as personal representative of the Estate of Jennifer Graham, deceased on behalf of said estate, and as representative of others similarly situated; ROSANNE CHERNICK,
Appellants

v.

BASF CATALYSTS LLC; CAHILL GORDON AND REINDEL LLP; CAHILL GORDON AND REINDEL, A Partnership including a Professional Corporation; THOMAS D. HALKET; ARTHUR A. DORNBUSCH, II; GLENN HEMSTOCK; HOWARD G. SLOANE, a/k/a Peter Sloane; IRA J. DEMBROW; SCOTT A. MARTIN; JOHN DOE BUSINESS ENTITIES 1 TO 100, are fictitious corporations, partnerships, or other business entities or organizations that BASF Catalysts LLC is responsible or liable for and whose identities are not presently known, which entities may have mined, milled, manufactured, sold, supplied; JOHN DOE BUSINESS ENTITIES 101 TO 200, are the fictitious firms, corporations, partnerships, limited liability companies/associations or other business entities or organizations whose identities are not presently known, and who may have perpetrated, or are responsible for, are the alter egos; JOHN DOE LAWYERS 1 TO 500, are the fictitious names of lawyers and law firms, legal professional corporations, legal professional partnerships, or other professional business entities or organizations, or their agents, employees, or servants, acting within the course and; JOHN DOE 1 TO 500, are the fictitious names of individuals whose identities are not presently known, who may have perpetrated, aided and abetted, conspired with, acted in concert with and/or are secondarily responsible or liable under law for the conduct or activities of

On Appeal from the United States District Court
for the District of New Jersey
(D.N.J. No. 2-11-cv-01754)

District Judge: Honorable Stanley R. Chesler

Argued: March 13, 2014

Before: McKEE, *Chief Judge*, and AMBRO and FUENTES, *Circuit Judges*

JUDGMENT

This cause came to be heard on the record from the United States District Court for the District of New Jersey and was argued on March 13, 2014. On consideration whereof, it is now hereby

ORDERED and ADJUDGED by this Court that the Order of the District Court dated December 12, 2012 be and the same are hereby AFFIRMED in part REVERSED in part and REMANDED to the District Court for further proceedings. All of the above in accordance with the opinion of this Court.

ATTEST:

s/Marcia M. Waldron
Clerk

Dated: September 3, 2014